

## **Partnership and Outreach to the Southern Ute Tribe Gold King Mine Blowout Incident Talking Points**

### **Southern Ute and Ute Mountain Ute Notification Response:**

The Southern Ute Tribe received notification on August 5, 2015 from Colorado Parks and Wildlife. Mr. Tom Johnson, Southern Ute Indian Tribe (SUIT) Environmental Programs Department Head notified Scott Clow, Ute Mountain Ute Tribe Environmental Director on August 8, 2015.

- On August 7, 2015, Region 8 Administrator, Mr. Shaun McGrath, sent a letter to the Southern Ute Chairman, Honorable Clement Frost. The letter gave the tribe notice that we (EPA) would be conducting sampling and investigations in the Animas River on the Southern Ute Indian Reservation and would coordinate efforts through Mr. Tom Johnson, Tribal Environmental Programs Division Head.
- Randy Brown, Tribal Program Manager EPA Region 8 was deployed to the Durango Incident Command as the Tribal Liaison from August 10-19, 2015.
- Mr. Brown's second deployment was from September 15-30, 2015.
- On August 11, 2015, Mr. Brown contacted Mr. Scott Clow, Environmental Director, Ute Mountain Ute (UMU) tribe regarding appropriate communication and coordination activities. Throughout the deployment, Mr. Brown periodically checked-in with Mr. Clow.

### **Southern Ute Tribe Joins Unified Command and Incident Command:**

- On August 8, 2015, Kathi Gurule, Risk and Emergency Manager, SUIT was asked by LaPlata County Butch Knowlton how she wanted to be involved. Effective immediately, Ms. Gurule, Mr. Mick Souder and Mr. Tom Johnson were assigned to the Durango Unified Command.
- The level of engagement and tireless commitment demonstrated by SUIT personnel, continues to be commendable and invaluable.
- When Mr. Brown returned for his second deployment, the Unified Command was downsized to the Incident Command of which the SUIT & UMU Tribes were identified as Agency Partners.

### **Significant Outreach or Communication Events:**

- On August 11, 2015, Councilman, Mr. Tyson Thompson and key tribal personnel participated in a Gold King mine tour. The tour also included a presentation of the Red and Bonita mine treatment facility. Tribal personnel voiced their appreciation in being able to visit the site.
- On August 11, 2015, Mr. Shaun McGrath, Mr. Martin Hestmark, and Mr. Randy Brown participated in a Southern Ute Tribal Public Meeting the Three Springs Development, Durango, Colorado.
- On August 12, 2015, UMU Tribal Councilwoman, Regina White Skunk and SUIT Councilwoman, Ramona Eagle attended the meeting with EPA Administrator, Gina McCarthy.
- On August 15, 2015, Mr. Randy Brown participated in a second Southern Ute Tribal Public Meeting at the Sunnyside Elementary School.

- Shortly after the incident, the Southern Ute Tribe created an their own Incident Response Team to inform staff, management, leadership, and membership on the on-going monitoring, and investigation of the Durango, Colorado Gold King Mine Release incident.
- During Mr. Brown's second deployment, he met daily with Ms. Gurule and/or Mr. Johnson after the 0900 Command General Staff meeting. The primary focus of these meetings were the ICS-233 Open Action Tracker "to-do" items.
- On September 17, 2015, EPA Region 8 sent the UMU and SUIT Chairmen a letter offering consultation on EPA's Conceptual Monitoring Plan.
- On September 28, 2015, Mr. Brown met with the SUIT Incident Response Team at the Tribal Administration building in Ignacio, Colorado.
- On September 29, 2015, Mr. Brown accompanied Mr. Melvin Baker, SUIT Councilman and Mr. Tyson Thompson, SUIT Councilman on a site visit/tour of the Gold King mine site.
- On October 7, 2015 at 1300 hours, EPA Region 8 will have a tribal consultation conference call with the SUIT regarding the Conceptual Monitoring Plan.

#### **Other Important Facts or Lessons:**

- 1) Communication and coordination were the initial issues raised by tribal membership. Especially from tribal members with domestic wells adjacent to the Animas River. They were eager to learn if their water was safe to use.
- 2) In a response action of this magnitude, it is difficult to determine who needs to know, what do they need to know, and when do they need to be informed. This issue is always difficult to capture the full universe of potential impacted parties.
- 3) At the first tribal public meeting, tribal members expressed their interest in knowing if the water was safe to use? Questions regarding use included: drinking, showering, dishes, laundry, gardening and irrigation. EPA acknowledged that prior to making a decision, incident command personnel must collect, analysis, assess and validate the data and sometimes this can 5-7 days.
- 4) The Southern Ute Indian Tribe role in the Unified Command & Incident Command proved to be an invaluable asset for several reasons. First, tribal water quality program personnel are extremely professional and capable and secondly, the tribe provided background surface water quality data (that didn't exist anywhere else) to further assist the unified command in making key technical decisions.
- 5) The presence and involvement of EPA senior leadership including EPA Administrator, Region 8 Administrator, and Assistant Regional Administrator proved invaluable and made a positive impression.
- 6) During Mr. Brown's first deployment as EPA R8 Tribal Liaison, he participated in daily tribal specific meetings. During his second deployment, his was assigned Deputy Planning Section Chief, which did not allow as much EPA/Tribal engagement or

involvement.

- 7) Having an ICS credentialed, technically competent on-site tribal liaison assigned to the unified command proved invaluable. Especially, when incidents have the potential to impact several different tribal jurisdictions.
- 8) Throughout both deployments, Mr. Brown worked diligently to uphold, protect and enhance our long-standing relationship with the Southern Ute and Ute Mountain Ute Tribes. This is a role that he has embraced with great pride, honor and commitment.